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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re:

GIGA WATT, Inc., a Washington
corporation,

Debtor.

Case No. 18-03197 FPC 11

The Honorable Frederick P. Corbit

**DECLARATION OF ALLEN OH IN
SUPPORT OF OMNIBUS
OPPOSITION OF THE CHAPTER
11 TRUSTEE TO: (I) NOTICE AND
MOTION TO COMPEL TRUSTEE
TO ABANDON ALLRISE MINING
POD AND (II) APPLICATION OF
ALLRISE FINANCIAL GROUP FOR
ALLOWANCE AND PAYMENT OF
ADMINISTRATIVE EXPENSE
CLAIM**

DECLARATION OF ALLEN OH

1 I, Ryan Oster, declare as follows:

2 1. I submit this declaration in support of the *Omnibus Opposition of the*
3 *Chapter 11 Trustee to: (i) Notice and Motion to Compel Trustee to Abandon*
4 *Allrise Mining Pod and (ii) Application of Allrise Financial Group for Allowance*
5 *and Payment of Administrative Expense Claim* (the “**Opposition**”), which I have
6 read.

7 2. The statements set forth herein are based on my personal knowledge,
8 unless otherwise noted. If called as a witness, I would and could competently
9 testify thereto.

10 3. Unless otherwise defined herein, capitalized terms have the meanings
11 ascribed to them in the Opposition.

12 4. I am employed by the estate to supervise the Moses Lake Facility and
13 to also manage the hardware that the Trustee operates at the Moses Lake Facility
14 and its other facility known as the TNT Facility.

15 5. No insignia were placed on the Pod. No indication of any kind was
16 ever made that Allrise was conducting business at the Pod or claimed ownership
17 of the Pod.

18 6. After the Trustee received this Court’s permission to operate part of
19 the Moses Lake Facility, the Master Landlord entrusted the keys to the Moses
20 Lake Facility to Lauren Mieke and to me. We kept the Pod locked at all times. I
21 never removed any equipment from the Pod. The Trustee maintains security
22 cameras which allow the Trustee to know who enters and leaves the Moses Lake
23 Facility at all times. There has never been any indication of the removal of any
24 equipment from the Pod, other than as set forth below. I have reviewed the
25 security camera tapes in order to ensure that nothing is ever removed from the
Moses Lake Facility without the Trustee’s knowledge and permission.

1 7. After the Master Landlord paid to have the electricity turned on for
2 the Pod and its neighbor, Pod 2, the Trustee began operations in Pod 2. The Pod,
3 in which Allrise asserts an interest, remained dormant and not operational pending
4 the removal by Allrise of the equipment that it claimed belonged to it. Again, no
5 one removed any equipment from the Pod in which Allrise claims an interest.

6 8. On December 11, 2019, at the Trustee's request, Allrise removed its
7 miners from the Pod so that the Trustee could begin operating in it. I supervised
8 the removal to ensure that nothing, but miners and related power cords, were
9 removed from Pod .

10 9. Thereafter, in December 2019, Lauren Mieke and I, with our staff
11 installed miners and began operations in the Pod.

12 Executed this 17th day of February 2020 in Wenatchee, Washington.

13 
14 Allen Oh